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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/941,828	08/29/2001	Albert Gregory Pinto	PINTO-003A	7601

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EXAMINER	
HUYNH, CONG LAC T	

ART UNIT	PAPER NUMBER
2178	

DATE MAILED: 01/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/941,828	PINTO ET AL.	
	Examiner	Art Unit	
	Cong-Lac Huynh	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 August 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *1/23/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to communications: the application filed 8/29/01, and the IDSs filed on 1/23/02.

2. Claims 1-18 are pending in the case. Claims 1, 8-9, 11, 17-18 are independent claims.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 8 and 17 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The email message in claim 8 and the email advertisement message in claim 17 are merely an abstract idea and are not tangibly embodied in a manner so as to be executable since the limitations of the two claims do not recite at least one functional element, and thus directed solely to non-functional descriptive material.

Double Patenting

5. A rejection based on double patenting of the "same invention" type finds its support in the language of 35 U.S.C. 101 which states that "whoever invents or discovers any new and useful process ... may obtain a patent therefor ..." (Emphasis added). Thus, the term "same invention," in this context, means an invention drawn to identical subject matter. See *Miller v. Eagle Mfg. Co.*, 151 U.S. 186 (1894); *In re Ockert*, 245 F.2d 467, 114 USPQ 330 (CCPA 1957); and *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970).

A statutory type (35 U.S.C. 101) double patenting rejection can be overcome by canceling or amending the conflicting claims so they are no longer coextensive in

scope. The filing of a terminal disclaimer cannot overcome a double patenting rejection based upon 35 U.S.C. 101.

6. Claim 9 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 1. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

7. Claim 18 is objected to under 37 CFR 1.75 as being a substantial duplicate of claim 11. When two claims in an application are duplicates or else are so close in content that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one claim to object to the other as being a substantial duplicate of the allowed claim. See MPEP § 706.03(k).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1-4, 6, 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vasudevan et al. (US Pat No. 6,223,213 B1, 4/24/01, filed 7/31/98) in view of Adler (US Pat App Pub No. 2004/0004613 A1, 1/8/04, filed 7/18/01).

Regarding independent claim 1, Vasudevan discloses:

- providing a source video file having a plurality of video frames and an audio track having a plurality of audio segments (figures 2A, 7, col 1, line 65 to col 2, line 2, 35-39,55-57, col 3, lines 8-20, 55-60)
- selecting a plurality of key video frames from the video frames of the source video file (figures 2A, 7, col 2, lines 1-9, 40-42, 58-61, col 3, lines 21-24, 60-65)
- selecting a plurality of key audio segments from the audio track of the source video file (figures 2A, 7)
- synchronizing the key audios segments with the associated key video frames to produce an animation file (figure 2B, col 2, lines 10-13, 43-46, col 3, lines 66-67)

Vasudevan does not disclose:

- producing an e-mailable animation file being configured to be included as a non-attached, non-executable file in an email message such that the key video frames and associated audio segments play when the email message is opened

Adler discloses:

- producing an e-mailable animation file being configured to be included as a non-attached, non-executable file in an email message such that the key video frames and associated audio segments the animation file plays when the email message is opened (figure 3, [0007], [0024]: *playing frames of animation* with associated sound *in the animation window of the email body* shows producing the animation file non-attached and non-executable within an email message)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Vasudevan into Adler since Vasudevan discloses how to generate an animation file from the selected video segments and audio segments providing the advantage to incorporate into Adler for generating an animation file based on the selected video segments and audio segments to include within an email message such that the animation file is a non-attached, non-executable file in an email message. The combination of Vasudevan into Adler would provide an instant presentation of an animated file within an email instead of waiting for the attached animation file to be opened and executed by convention.

Regarding claim 2, which is dependent on claim 1, Adler discloses that when the key video frames are played, the key video frames are displayed in a text viewing area of an email user interface display (figure 3, [0024], [0025]).

Regarding claim 3, which is dependent on claim 1, Adler discloses creating the email message including the e-mailable animation file (figure 3, [0025]).

Regarding claim 4, which is dependent on claim 3, Adler discloses transmitting the email message including the emailable animation file (page 3, table 1: the Send feature in table 1 for send the animated email inherently shows transmitting the email message including the emailable animation file).

Regarding claim 6, which is dependent on claim 1, Adler discloses that wherein the emailable animation file comprises a plurality of files (figure 3, [0024], [0031]: playing animation with associated sound within the email body where animation includes video frames inherently shows that the email animated file comprises a plurality of files of video and audio).

Regarding independent claim 9, Vasudevan discloses:

- providing a source video file having a plurality of video frames and an audio track having a plurality of audio segments (figures 2A, 7, col 1, line 65 to col 2, line 2, 35-39,55-57, col 3, lines 8-20, 55-60)

- selecting a plurality of key video frames from the video frames of the source video file (figures 2A, 7, col 2, lines 1-9, 40-42, 58-61, col 3, lines 21-24, 60-65)
- selecting a plurality of key audio segments from the audio track of the source video file (figures 2A and 7)
- synchronizing the key audio segments with the associated key video frames to produce an animation file (figure 2B, col 2, lines 10-13, 43-46, col 3, lines 66-67)

Vasudevan does not disclose:

- producing an e-mailable animation file being configured to be included as a non-attached, non-executable file in an email message such that the key video frames and associated audio segments play when the email message is opened

Adler discloses:

- producing an e-mailable animation file being configured to be included as a non-attached, non-executable file in an email message such that the key video frames and associated audio segments the animation file plays when the email message is opened (figure 3, [0007], [0024]: *playing frames of animation* with associated sound *in the animation window of the email body* shows producing the animation file non-attached and non-executable within an email message)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Vasudevan into Adler since Vasudevan discloses how to generate an animation file from the selected video segments and audio segments providing the advantage to incorporate into Adler for generating an animation file based on the selected video segments and audio segments to include within an email

message such that the animation file is a non-attached, non-executable file in an email message. The combination of Vasudevan into Adler would provide an instant presentation of an animated file within an email instead of waiting for the attached animation file to be opened and executed by convention.

Regarding claim 10, which is dependent on claim 9, Adler discloses wherein when the key video frames are played, the key video frames are displayed is a text viewing area of an email user interface display (figure 3, [0024], [0025]).

11. Claims 5 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler and Vasudevan as applied to claims 1 and 11 above, and further in view of Pauls (US Pat No. 6,185,253 B1, 2/6/01, filed 10/31/97).

Regarding claim 5, which is dependent on claim 1, Adler and Vasudevan do not disclose that wherein step (a) further comprises compressing the source video file. Pauls discloses providing a source video file comprising compressing the source video file (abstract, col 1, lines 5-11, col 3, lines 44-53).
It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Pauls into Adler and Vasudevan since Pauls discloses compressing the source video file providing the advantage to incorporate into Adler and Vasudevan for easily controlling the video and audio data and reducing the bandwidth when transmitting video and audio data in the email over the network.

Claim 15 includes the same limitation of claim 5, and is rejected under the same rationale.

12. Claims 7 rejected under 35 U.S.C. 103(a) as being unpatentable over Adler in view of Vasudevan as applied to claim 1 above, and further in view of Tuck et al. (US Pat App Pub No. 2002/0094868 A1, 7/18/02, filed 1/16/01) and Gupta (US Pat App Pub No. 2003/0014411 A1, 1/16/03, filed 7/16/01).

Regarding claim 7, which is dependent on claim 1, Adler and Vasudevan do not disclose that the emailable animation file is an emailable advertisement file.
Tuck discloses that an *advertisement file can be an animation file delivered over the Internet* ([0016]). Gupta discloses sending to a consumer an *advertisement email* by advertisers ([0002]).
Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Gupta and Tuck into Adler and Vasudevan since Gupta shows using an *advertisement email* for sending advertisement files to consumers, and Tuck shows that an *advertisement file can be an animation file* providing the advantage to incorporate into the *animated email* of Adler and Vasudevan the advertisement feature for obtaining an emailable animation file being an emailable advertisement file.

13. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adler (US Pat App Pub No. 2004/0004613 A1, 1/8/04, filed 7/18/01) in view of Tuck et al. (US Pat App Pub No. 2002/0094868 A1, 7/18/02, filed 1/16/01) and Gupta (US Pat App Pub No. 2003/0014411 A1, 1/16/03, filed 7/16/01).

Regarding independent claim 17, Adler discloses an email message comprising:

- a non-attached, non-executable, emailable animation file comprising:
    - o a graphical component including a plurality of key video frames selected from a plurality of video frames of a source video file ([0024], figures 2-3)
    - o an audio component including a plurality of key audio segments selected the source video file, the key audio segments being synchronized to the key video frames (figures 2-3, [0024]: playing frames of animation with *associated sound* shows that audio data is synchronized with video data)

  wherein when the email message including the emailable animation file is opened, the graphical component and the audio component are configured to play, the graphical component being displayed in a text viewing area of an email user interface display and the audio component being played simultaneously with the display of the graphical component such that the key video frames are displayed simultaneously with associated key audio segments (figures 2-3, [0024]: playing frames of animation with associated sound in the email body shows simultaneously displaying the video and the audio in the email message).

Adler does not disclose the emailable animation file being an advertisement file.

Tuck discloses that an *advertisement file can be an animation file delivered over the Internet* ([0016]). Gupta discloses sending to a consumer an *advertisement email* by advertisers ([0002]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Gupta and Tuck into Adler since Gupta shows using an *advertisement email* for sending advertisement files to consumers, and Tuck shows that an *advertisement file can be an animation file* providing the advantage to incorporate into the *animated email* of Adler the advertisement feature for obtaining an emailable animation file being an emailable advertisement file.

14. Claims 11-14, 16, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adler (US Pat App Pub No. 2004/0004613 A1, 1/8/04, filed 7/18/01) in view of Vasudevan et al. (US Pat No. 6,223,213 B1, 4/24/01, filed 7/31/98), Tuck et al. (US Pat App Pub No. 2002/0094868 A1, 7/18/02, filed 1/16/01) and Gupta (US Pat App Pub No. 2003/0014411 A1, 1/16/03, filed 7/16/01).

Regarding independent claim 11, Vasudevan discloses:

- providing a source video file having a plurality of video frames and an audio track having a plurality of audio segments (figures 2A, 7, col 1, line 65 to col 2, line 2, 35-39,55-57, col 3, lines 8-20, 55-60)
- selecting a plurality of key video frames from the video frames of the source video file (figures 2A, 7, col 2, lines 1-9, 40-42, 58-61, col 3, lines 21-24, 60-65)

- selecting a plurality of key audio segments from the audio track of the source video advertisement file (figures 2A, 7)
- synchronizing the key audio segments with the associated key video frames to produce an emailable animation file (figure 2B, col 2, lines 10-13, 43-46, col 3, lines 66-67)

Vasudevan does not disclose:

- producing an e-mailable animation file being configured to be included as a non-attached, non-executable file in an email message such that the key video frames and associated audio segments play when the email message is opened

Adler discloses:

- producing an e-mailable animation file being configured to be included as a non-attached, non-executable file in an email message such that the key video frames and associated audio segments the animation file plays when the email message is opened (figure 3, [0007], [0024]: *playing frames of animation* with associated sound *in the animation window of the email body* shows producing the animation file non-attached and non-executable within an email message)

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to have combined Vasudevan into Adler since Vasudevan discloses how to generate an animation file from the selected video segments and audio segments providing the advantage to incorporate into Adler for generating an animation file based on the selected video segments and audio segments to include within an email message such that the animation file is a non-attached, non-executable file in an email

message. The combination of Vasudevan into Adler would provide an instant presentation of an animated file within an email instead of waiting for the attached animation file to be opened and executed by convention.

Adler and Vasudevan do not disclose the emailable animation file being an advertisement file.

Tuck discloses that an *advertisement file can be an animation file delivered over the Internet* ([0016]). Gupta discloses sending to a consumer an *advertisement email* by advertisers ([0002]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Gupta and Tuck into Adler and Vasudevan since Gupta shows using an *advertisement email* for sending advertisement files to consumers, and Tuck shows that an *advertisement file can be an animation file* providing the advantage to incorporate into the *animated email* of Adler and Vasudevan the advertisement feature for obtaining an emailable animation advertisement file. The combination of Gupta and Tuck into Adler and Vasudevan would provide an effective way for a business to advertise a product via attractive animation emails sent to users.

Regarding claim 12, which is dependent on claim 9, Adler discloses wherein when the key video frames are played, the key video frames are displayed is a text viewing area of an email user interface display (figure 3, [0024], [0025]).

Regarding claim 13, which is dependent on claim 11, Adler discloses creating the email message including the e-mailable animation file (figure 3, [0025]).

Adler does not disclose that said emailable animation file is an emailable animation advertisement file.

Tuck discloses that an *advertisement file can be an animation file delivered over the Internet* ([0016]). Gupta discloses sending to a consumer an *advertisement email* by advertisers ([0002]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Gupta and Tuck into Adler since Gupta shows using an *advertisement email* for sending advertisement files to consumers, and Tuck shows that an *advertisement file can be an animation file* providing the advantage to incorporate into the *animated email* of Adler the advertisement feature for obtaining an emailable animation advertisement file. The combination of Gupta and Tuck into Adler would provide an effective way for a business to advertise a product via attractive animation emails sent to users.

Regarding claim 14, which is dependent on claim 13, Adler discloses transmitting the email message including the emailable animation file (page 3, table 1: the Send feature in table 1 for send the animated email inherently shows transmitting the email message including the emailable animation file.

Adler does not disclose that the emailable animation file to be transmitted in the email is an advertisement file.

Tuck discloses that an *advertisement file can be an animation file delivered over the Internet* ([0016]). Gupta discloses sending to a consumer an *advertisement email* by advertisers ([0002]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Gupta and Tuck into Adler since Gupta shows using an *advertisement email* for sending advertisement files to consumers, and Tuck shows that an *advertisement file can be an animation file* providing the advantage to incorporate into the *animated email* of Adler the advertisement feature for obtaining an emailable animation advertisement file. The combination of Gupta and Tuck into Adler would provide an effective way for a business to advertise a product via attractive animation emails sent to users.

Regarding claim 16, which is dependent on claim 11, Adler discloses that wherein the emailable animation file comprises a plurality of files (figure 3, [0024], [0031]: playing animation with associated sound within the email body where animation includes video frames inherently shows that the email animated file comprises a plurality of files of video and audio).

Adler does not disclose that the emailable animation file being an advertisement file.

Tuck discloses that an *advertisement file can be an animation file delivered over the Internet* ([0016]). Gupta discloses sending to a consumer an *advertisement email* by advertisers ([0002]).

Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to have combined Gupta and Tuck into Adler since Gupta shows using an *advertisement email* for sending advertisement files to consumers, and Tuck shows that an *advertisement file can be an animation file* providing the advantage to incorporate into the *animated email* of Adler the advertisement feature for obtaining an emailable animation advertisement file. The combination of Gupta and Tuck into Adler would provide an effective way for a business to advertise a product via attractive animation emails sent to users.

Independent claim 18 includes the same limitations as in claim 11, and is rejected under the same rationale.

Claim Rejections - 35 USC § 102

15. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

16. Claim 8 is rejected under 35 U.S.C. 102(e) as being anticipated by Adler (US Pat App Pub No. 2004/0004613 A1, 1/8/04, filed 7/18/01).

Regarding independent claim 8, Adler discloses an email message comprising:

- a non-attached, non-executable, emailable animation file comprising:
    - o a graphical component including a plurality of key video frames selected from a plurality of video frames of a source video file ([0024], figures 2-3)
    - o an audio component including a plurality of key audio segments selected the source video file, the key audio segments being synchronized to the key video frames (figures 2-3, [0024]: playing frames of animation with *associated sound* shows that audio data is synchronized with video data)

wherein when the email message including the emailable animation file is opened, the graphical component and the audio component are configured to play, the graphical component being displayed in a text viewing area of an email user interface display and the audio component being played simultaneously with the display of the graphical component such that the key video frames are displayed simultaneously with associated key audio segments (figures 2-3, [0024]: playing frames of animation with associated sound in the email body shows simultaneously displaying the video and the audio in the email message).

Conclusion

17. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wang et al. (US Pat No. 6,442,593 B1, 8/27/02, filed 2/1/99).

Chen (US Pat No. 6,836,792 B1, 12/28/04, filed 12/3/99).

Krueger et al. (US Pat No. 6,460,075 B2, 10/1/02, filed 1/23/01).

Hsu et al. (US Pat No. 6,295,058 B1, 9/25/01, filed 7/22/98).

Cleron et al. (US Pat No. 6,223,213 B1, 4/24/01, filed 7/31/98).

Hull et al. (US Pat App Pub No. 2001/0020954 A1, 9/13/01, filed 11/30/00).

Chung (US Pat App Pub No. 2004/0117451 A1, 6/17/04, filed 3/22/02, priority 3/22/01).

Weaver et al. (US Pat App Pub No. 2001/0036356 A1, 11/1/01, filed 4/6/01, priority 4/7/00).

Errico et al. (US Pat App Pub No. 2002/0180774 A1, 12/5/02, filed 12/13/01, priority 4/19/01).

Tafla (US Pat App Pub No. 2001/0056370 A1, 12/27/01, filed 4/2/01).

Rubstein et al. (US Pat App Pub No. 2003/0061566 A1, 3/27/03, filed 6/18/02, priority 11/13/98).

Filliger et al. (US Pat App Pub No. 2002/0174027 A1, 11/21/02, filed 5/18/01).

Kessler et al. (US Pat App Pub No. 2002/0191116 A1, 12/19/02, filed 4/24/01).

Murase et al. (US Pat App Pub No. 2004/0083301 A1, 4/29/04, filed 3/10/03, priority 9/11/00).

Beaumont, New Audio and Video Services to Change the Face of Internet Communications, M2 Presswire, Nov 19, 1999, page 1.

BackWeb Technologies, Amicada Selects BackWeb for Polite Delivery of Multimedia Advertising, PR Newswire, Oct 5, 2000, page 1.

Barela, ePromo Acquires Qvergent Radio Corporation, PR Newswire, Nov 27, 2000, page 1.

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cong-Lac Huynh whose telephone number is 571-272-4125. The examiner can normally be reached on Mon-Fri (8:30-6:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-4125.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Conglachuynh

Cong-Lac Huynh
Examiner
Art Unit 2178
01/14/05